

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

KERRIE ATWELL,

Plaintiff,

v.

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

Case No. 23-12717

F. Kay Behm

United States District Judge

Anthony P. Patti

United States Magistrate Judge

**OPINION AND ORDER ACCEPTING AND ADOPTING
THE MAGISTRATE JUDGE'S FEBRUARY 27, 2025
REPORT AND RECOMMENDATION (ECF No. 26)**

Currently before the court is Magistrate Judge Anthony P. Patti's February 27, 2025, Report and Recommendation. (ECF No. 26). Magistrate Judge Patti recommends that the court grant in part and deny in part the cross-motions for summary judgment and remand the matter to the Commissioner for proceedings consistent with the report and recommendation. The court is fully advised in the premises and has reviewed the record and the pleadings. Neither party has filed timely objections. "[T]he failure to object to the magistrate judge's report[] releases the Court from its duty to independently review the matter." *Hall v. Rawal*, 2012 WL 3639070 (E.D. Mich. Aug. 24, 2012) (citing *Thomas v. Arn*, 474 U.S. 140, 149 (1985)). The court nevertheless agrees with the Magistrate Judge's

recommended disposition. Therefore, the court **ACCEPTS** and **ADOPTS** the Magistrate Judge's Report and Recommendation (ECF No. 26), **GRANTS** in part and **DENIES** in part the cross-motions for summary judgment (ECF Nos. 19, 22), and **REMANDS** this matter to the Commissioner under 42 U.S.C. § 405(g) for further proceedings consistent with the February 27, 2025 report and recommendation.

SO ORDERED.

Date: March 14, 2025

s/F. Kay Behm

F. Kay Behm

United States District Judge